
**LEGAL
REQUIREMENTS**

45 CFR 74.21-74.22

45 CFR 302.15

45 CFR 303.2

Federal regulations require that the IV-D agency establish a case record within 20 calendar days of receipt of an application or referral for IV-D services. The case record must contain all information and documents pertaining to the case and records of all relevant facts, dates, actions taken, contacts made and results in a case. This includes:

- The referral or application for IV-D services;
- Records of location efforts;
- Records of activities to establish paternity and support obligations;
- Records of enforcement activities.

In addition, the IV-D agency must maintain records of support collections and the distribution of collections.

Regulations also govern record retention. IV-D records, including case records, must be retained for at least three years after submission of the final expenditure report for the fiscal year of case closure. When an audit is initiated before the end of the retention period and extends beyond that period, the case record must be retained until the audit is completed.

**DEPARTMENTAL
POLICY****Case Record**

A case record consists of documents and records related to IV-D eligibility and service provision as specified by federal regulations. Case record information is maintained in electronic format in the Child Support Enforcement System (CSES). The application or referral and other documents that are not in electronic form are maintained in case folders as described later in this item. Maintenance of physical documents that duplicate information stored electronically is not required.

When a family or individual applying or referred for services is eligible, establish a case record or update the existing record in CSES. Establish case records within the earlier of 20 days after receipt of an application or referral for services, or, in FIP IV-D cases with associated support order, within 5 working days after the opening of the FIP case.

**CSES/DPSS
Record**

Utilize CSES to maintain records of:

- Date IV-D Services were request or date the application and information was provided. (Retain this data only if IV-D case is opened.)

- Case actions including case openings, case closings, IV-D category changes and record of transfers;
- Contacts with the client and absent parent;
- Locating activities;
- Contacts and activities relating to paternity and support order establishment and support enforcement;
- The court order(s), if any;
- A good cause claim and findings;
- A noncooperation determination and notice to assistance payments;
- Other communications to and from FIS;
- Other entries which will tend to clarify records or aid in future determination, e.g., hearings.

Record the date, reason and/or results of the contact/action.

Hard Copy Records

Store hard copy records in a file folder. Maintain a file for each client referred or applying for IV-D services. Identify the file with the client's name and FIA and/or IV-D case number(s). When the client is the custodian of children who are members of different IV-D cases, all case records associated with the client may be stored in a single file folder.

Documents contained in a file folder must be organized to permit persons with access to the file (e.g., OCS staff, auditors, etc.) to locate needed records and to determine what actions have occurred. Two methods of organizing support files are provided below.

1. File all documents related to an IV-D case (i.e., absent parent and associated family group) in a single packet in chronological order. Documents that may be filed in the packet are the same as those identified in method 2 below.
2. File documents in chronological order in packets by subject area as described below:

The "Referral/Intake" packet contains the notice from assistance payments that FIP or Medicaid terminated, or the FIA-1201, Non-FIP Child Support Services Application and the contact records with the client and absent parent. A chronological sequence of events on the IV-D case is kept in the Log Notes (see Item 120, p.3, Case Record Establishment).

The "Locating" packet contains documentation of locating resources contacted and results of the contacts.

The "Legal and Enforcement" packet containing court action referrals to the Prosecuting Attorney and Friend of the Court; a copy of the paternity and/or support order, if available; and the Support Certification Status Notice(s).

The "Correspondence" case-related correspondence between the support specialist and other persons or agencies, including OCS Central Office.

Record Retention

The IV-D case record must be retained for the three year federally mandated record retention period after the end of the fiscal year of IV-D case closure or until completion of an audit whichever is later. When multiple IV-D case records are maintained in a single file, the retention period is governed by closure of the last IV-D case. Files consisting of closed case records should be identifiable from those containing open case records.

Paper Case Transfer

The IV-D record is maintained in the county of the client's residence. This necessitates a transfer of the case record when the client moves to another county. (Records may also be transferred between district offices within a county.)

Complete and attach a FIA-59A/B, Case Transfer Notice/Acknowledgment (see Exhibit) to the record. Indicate in the remarks section of the FIA-59A any pertinent pending information such as "Paternity action initiated in this county, prosecutor will be following through."

The transfer-in support specialist must complete the FIA-59B (lower half) and return it marked "Attention Support Specialist" to the transfer-out county. This procedure will assist in ensuring receipt of the record.